

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JANUARY 3, 1979

The regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, January 3, 1979 in the City Hall Council Chambers.

## ROLL CALL

Present: Councilmen - Hughes, McCarty and  
Katzakian (Mayor Pro  
Tempore)

Absent: Councilmen - Katnich and Pinkerton  
(Mayor)

Also City Manager Graves, Assistant City  
Present: Manager Glenn, Public Works  
Director Ronsko, City Attorney  
Mullen, and Community Development  
Director/Deputy City Clerk Schroeder.

## INVOCATION

The invocation was given by Reverend Harve Wilkie, Minister of Youth, Temple Baptist Church.

## PLEDGE

Mayor Pro Tempore Katzakian led the Pledge of Allegiance to the flag.

## MINUTES

On motion of Councilman Hughes, McCarty second, the Minutes of December 13, 1978 were approved as written and mailed.

## PUBLIC HEARINGS

REVISED GUIDE-  
LINES CEQA OF  
1970

## RES. NO. 79-1

13.6  
11 532

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Pro Tempore Katzakian declared that now was the time and place for the Public Hearing to consider the City Planning Commission's recommendation to adopt the Revised Guidelines for Implementation of the California Environmental Quality Act of 1970 (i.e., CEQA).

City Attorney Mullen reviewed a memorandum dated January 2, 1979 which outlined the necessity for the revised guidelines, and named the Community Development Director as the Environmental Review Officer.

There being no persons in the audience wishing to speak on this matter, the public portion of the hearing was closed.

CEQA  
GUIDELINES  
(Continued)

Following discussion on the matter, with questions being directed to Staff, on motion of Councilman Hughes, Katzakian second, Council adopted Resolution No. 79-1 entitled "Resolution of the City Council of the City of Lodi Adopting Revised Guidelines for Implementation of the California Environmental Quality Act of 1970 (i.e., CEQA)."

COMMUNICATIONS

LOBAUGH SOUTH  
REORGANIZATION

The City Clerk was in receipt of a letter from the Local Agency Formation Commission (i.e., LAFCO) stating that at its December 18, 1978 meeting, the Commission approved withdrawal of the proposed Lobaugh South Reorganization (LAFC 23-78) in accordance with written request submitted by the proponent. Also, the letter stated that the proposal may be resubmitted when desired.

PUC APPLICA-  
TIONS

The Pacific Gas and Electric Co. notified the City that it had filed Applications 58545 and 58546 with the Public Utilities Commission on December 26, 1978 requesting, among other things, increase in rates and charges for electric and gas service.

ABC LICENSE

The Deputy City Clerk presented an Application for Alcoholic Beverage License which had been received from Ali M. Alghazali, Sanaa Market, 10 East Tokay Street, Lodi, Off Sale Beer and Wine, person to person transfer.

REPORTS OF THE CITY MANAGER

CONSENT  
CALENDAR

In accordance with report and recommendation of the City Manager, the following items hereby set forth between asterisks, on motion of Councilman McCarty, Hughes second, were approved by Council.

\*\*\*\*\*

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,277,834.25.

ACCEPT  
IMPROVEMENTS  
GARFIELD, CENTRAL,  
OAK-WASHINGTON

Council accepted the improvements in "Curb and Gutter Replacement - Garfield, Central, Oak, and Washington" and directed the Public Works Director to file a Notice of Completion with the County Recorder's Office.

RESOLUTION  
APPROVING AGREE-  
MENT STOCKTON  
ST.-KETTLEMAN  
LANE TRAFFIC  
SIGNAL

Following recommendation by the City Manager, Council adopted the following Resolution:  
RESOLUTION NO. 79-2  
AUTHORIZING THE MAYOR PRO TEMPORE AND THE DEPUTY CITY CLERK TO EXECUTE AN AGREEMENT WITH THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF THE TRAFFIC SIGNALIZATION SYSTEM AT THE INTERSECTION OF STOCKTON STREET AND STATE HIGHWAY ROUTE SJ-12 (KETTLEMAN LANE).

\*\*\*\*\*

AWARD-CONTRACT  
LOCUST AND  
PLEASANT STREET  
IMPROVEMENTS

City Manager Graves presented the bids which had been received for the "Locust Street-Pleasant Avenue Street Improvements" as follows:

RES. NO. 79-3	<u>BIDDER</u>	<u>AMOUNT</u>
	Teichert Construction, Stockton	\$40,600.00
	H. Max Lee, Lodi	\$45,980.00
	Claude C. Wood Co., Lodi	\$49,978.30

Public Works Director Ronsko explained that part of the project along North Pleasant Avenue had been eliminated which reduced the low bid to \$36,126.00. The City Manager recommended that the award be made to Teichert Construction, the low bidder, in the amount of \$36,126.00.

On motion of Councilman Hughes, Katzakian second, Council adopted Resolution No. 79-3 awarding the contract for the "Locust Street-Pleasant Avenue Street Improvements" to Teichert Construction, the low bidder in the amount of \$36,126.00.

PERMIT PARKING  
LAUREL AVE. -  
MRS. BEN  
MEIDINGER

The City Council had previously received a letter from Mrs. Ben Meidinger, 1022 Laurel Avenue, requesting that the no-parking, tow-away zone along Laurel Avenue, north of West Turner Road be replaced with permit parking zones which would allow residents of the area to park their vehicles on the street during the time now prohibited by the tow-away zone.

During Council discussion, Councilman Hughes suggested that this section of Laurel Avenue have divided parking with permit parking on the east adjacent to the residences and no-parking, tow-away on the west side next to Lodi Lake Park.

Mrs. Ben Meidinger, 1022 Laurel Avenue was present and stated that she wanted permit parking because the present situation <sup>are</sup> causes her family hardship. She said that cars <sup>are</sup> shuffled in and out of the driveway on many occasions.

Mr. Arthur Miller, 1008 Laurel Avenue was present and stated he favored this tow-away zone because since it was recently established, night-time noise problems had been eliminated.

The staff indicated that warrants for permit parking were in the development stage. City Attorney Mullen indicated he would look into the feasibility of Councilman Hughes' suggestion.

On motion of Councilman Hughes, McCarty second, Council continued consideration of the above request of Mrs. Ben Meidinger until the regular meeting of March 7, 1979.

RES. OF INTENTION  
ABANDON PORTION  
OF ALLEY-NORTH  
OF LODI AVE. -EAST  
SIDE OF SO. HUTCHINS  
ST.

RES. NO. 79-4

7850

Council was informed that the east-west alley, on the east side of South Hutchins Street, north of West Lodi Avenue was constructed 10 feet outside of the original right-of-way. Mr. Maurice O. Ray, the owner of the parcel adjacent to the unused right-of-way requested that the 10 feet be abandoned and provided a check in the amount of \$25.00 to cover the cost of advertising the abandonment.

On motion of Councilman Hughes, McCarty second, Council adopted Resolution No. 79-4 - Resolution of Intention to Abandon a portion of an East-West Street north of West Lodi Avenue on the east side of South Hutchins Street; referred the matter to the Planning Commission for recommendation; and set the matter for public hearing on Wednesday, February 7, 1979.

FEE SCHEDULE -  
OVERCROWDED  
ATTENDANCE  
AREAS - LUSD

RES. NO. 79-5

7243

The City Manager presented a proposed resolution for the fee schedule for the overcrowded school attendance areas in the LUSD which was (1) for mobilehome spaces - the rate shall be \$250.00 per space; and (2) for all other residential dwelling uses, including units containing a single (one) bedroom, the rate shall be \$200.00 per bedroom. He explained the fee schedule may be annually adjusted in accordance with the index established at the end of each year by the Engineering News Record (i.e., ENR).

The City Manager also asked the Council to determine how lapsed or extended Tentative Maps were to be handled when determining who was eligible to pay the fee.

Under Council discussion, it was shown that the term "Planning Agency" which appears in Ordinance 1149 which establishes the procedures for declaring overcrowding, and leveling the fee, needed clarification.

After further discussion, on motion of Councilman Hughes, Katzakian second, Council adopted Resolution No. 79-5, "Resolution Adopting Fee Schedule for the Overcrowded School Attendance Areas in the Lodi Unified School District". The Resolution was adopted by the following vote:

Ayes: Councilmen - Hughes and Katzakian

Noes: Councilmen - McCarty

Absent: Councilmen - Katnich and Pinkerton

ELIGIBILITY FOR  
OVERCROWDING  
FEE

RES. NO. 79-6

7743

On motion of Councilman Hughes, Katzakian second, Council adopted Resolution No. 79-6, "Resolution of the City Council of the City of Lodi, stating that the Fee Schedule for Overcrowded School Attendance Areas in the Lodi Unified School District Shall Apply to Building Permits Issued for Lots appearing on Tentative Subdivision Maps which are Approved, Extended or Lapsed after December 20, 1978". The Resolution passed by the following vote:

RES. NO. 79-6  
ELIGIBILITY FOR  
OVERCROWDING  
FEE (Continued)

Minutes of January 3, 1979, continued

Ayes: Councilmen - Hughes and Katzakian

Noes: Councilmen - McCarty

Absent: Councilmen - Katnich and Pinkerton

DEFINING  
"PLANNING  
AGENCY" FROM  
ORD. 1149

RES. NO. 79-7

On motion of Councilman Hughes, Katzakian second, Council adopted Resolution No. 79-7, "Resolution of the City Council of the City of Lodi Determining that the 'Planning Agency' as referred to in Section 3H of Ordinance No. 1149 is the Lodi City Planning Commission and that that Body's decisions are appealable to the City Council".

RECESS

Mayor Pro Tempore Katzakian declared a recess at 10:00 p.m. The meeting was reconvened at 10:12 p.m.

COUNCIL  
CHAMBERS FOR  
MUNICIPAL  
COURT PURPOSES

The City Manager reported that within a few weeks, Judge J. Thomas Seibly expects to appoint a Lodi Court Commissioner to relieve the Municipal Court overload. The Commissioner will hear small claims, traffic and civil cases. He stated that Judge Seibly was interested in the use of the old library as a second courtroom and the use of the City Council Chambers on an interim basis until arrangements can be made for the library.

The City Manager recommended that the Judge's request be approved with the understanding that court use be limited to 3-1/2 days per week with Tuesdays being reserved for City use and the other half day being worked out according to need.

Judge J. Thomas Seibly, c/o Lodi Municipal Court, 230 West Elm Street, Lodi was present and stated that during 1978 the State Legislature had approved a Court Commissioner for Lodi Municipal Court and that he felt the County Board of Supervisors would approve funding at such time as additional courtroom space was available. He said that interim use of the Council Chambers would permit the early hiring of the Commissioner and that the Chambers would be vacated as soon as regular space, such as might be provided at the old library, was available.

Councilman Hughes said that even though the Judge was doing an excellent job and the Court Commissioner was needed, he was concerned that the Board of Supervisors had not taken steps to obtain courtroom space. He felt the County should be actively involved in this project and reminded Council that other groups had indicated a desire to use portions of the old library building.

After further discussion, on motion of Councilman McCarty, Katzakian second, Council sanctioned the use of the City Council Chambers for an interim period of 6 months by the Lodi Court Commissioner

COUNCIL  
CHAMBERS FOR  
MUNICIPAL  
COURT PURPOSES

on a 3-1/2 day per week basis and directed the City Manager to negotiate with the San Joaquin County Board of Supervisors for interim use of a portion of the old library building at 305 West Pine Street, for court purposes.

MASTER LAND-  
SCAPING PLAN-  
CITY HALL  
COMPLEX

The Public Works Director presented a written proposal from Morris-Wenell, Architects, for the preparation of a master landscaping plan for the City Hall Complex.

After discussion, on motion of Councilman Hughes, McCarty second, Council directed the Public Works Director and Recreation and Parks Director to sign the agreement with Morris-Wenell, Architects for the preparation of a Master Landscaping Plan for the City Hall Complex.

AMEND NCPA  
DEVELOPMENT  
FUND AGREEMENT

Councilman Hughes asked Council to amend the Northern California Power Agency Development Fund Agreement by extending the Agreement for 2 years and providing 3 equal semi-annual payments beginning September 15, 1980. He stated that the additional funds would serve as "seed money" for NCPA projects and reviewed projects presently underway.

On motion of Councilman McCarty, Hughes second Council authorized the Mayor to sign the "Amendment to NCPA Member Agreement for Participation in Electrical Power Development Fund" dated September 1, 1978.

AWARD-CONTRACT  
ASPHALT  
MATERIALS  
SECOND HALF  
F.Y. 1978-79

The City Manager presented the bids which had been received for "Asphalt Material for Second Half of Fiscal Year 1978-79" as follows:

ITEM NO. 1

RES. NO. 79-8

Dense Grade Asphalt Concrete, Type B, 3/8", Asphalt Binder shall be Viscosity Grade AR-4000 Paving Asphalt

SUPPLIERS

	A	B	C
	F.O.B. Plant	Stockpile	Hopper of Paver
	City Limits		
	(400 Tons)	(100 Tons)	(1800 Tons)
<u>Claude C. Wood Co.</u>			
Cost per ton including tax	\$12.985	\$15.052	\$16.006
Plus City cost for mileage	1.72		
Total Cost per ton	\$14.705	\$15.052	\$16.006
<u>Granite Construction Co.</u>			
Cost per ton including tax	\$15.37	\$18.55	No Bid
Plus City cost for mileage	2.52		
Total Cost per ton	\$17.89	\$18.55	No Bid
<u>Industrial Asphalt</u>			
Cost per ton including tax	\$14.31	\$16.96	\$17.22
Plus City cost for mileage	3.26		
Total cost per ton	\$17.57	\$16.96	*\$17.22

ITEM NO. 2

Dense Grade Asphalt Concrete, Type B, 1/2".  
Asphalt Binder shall be Viscosity Grade  
AR-4000 Paving Asphalt.

	A F.O.B. Plant (100 Tons)	B Stockpile City Limits (100 Tons)	C Hopper of Paver (400 Tons)
Claude C. Wood Co.	\$12.72 1.72 \$14.44	\$14.787 \$14.787	\$15.741 \$15.741
Granite Construction Co.	\$15.37 2.52 \$17.89	\$18.55 \$18.55	No Bid No Bid
Industrial Asphalt	\$13.25 3.26 \$16.51	\$15.90 \$15.90	\$16.16 *\$16.16

\*Standby time at P. U. C.  
rate after 30 minutes.

The City Manager recommended that award be made to Claude C. Wood Co., Inc., the low bidder.

On motion of Councilman Hughes, McCarty second, Council adopted Resolution No. 79-8 awarding the contract for "Asphalt Materials for the Second Half of Fiscal Year 1978-79" to Claude C. Wood Co., Inc., the low bidder.

CONVERT ANIMAL  
DECOMPRESSION  
CHAMBER

The City Manager reported that members of the City Staff had journeyed to Woodland to view that City's animal decompression chamber which had been converted to use carbon monoxide. He recommended that \$500 be appropriated to make the same conversion to Lodi's chamber.

After discussion, on motion of Councilman McCarty, Hughes second, Council approved the City Manager's recommendation to appropriate \$500, one-half of which is to be used to convert the City's animal decompression chamber to carbon monoxide use and one-half of which is to be used to purchase tanks containing carbon monoxide.

ORDINANCES

PARCELS AT 218 S.  
HUTCHINS & 412 &  
420 W. WALNUT ST.  
REZONED FROM  
RHD TO RCP

ORD. NO. 1163  
ADOPTED

Ordinance No. 1163 entitled "An Ordinance Amending the Official District Map of the City of Lodi and thereby Rezoning the parcels at 218 South Hutchins Street and 412 and 420 West Walnut Street from R-HD, High Density Multiple Family Residential District to R-C-P, Residential-Commercial-Professional District" having been introduced at a regular meeting held December 20, 1978 was brought up for passage on motion of Councilman Hughes, Katzakian second. Second reading was omitted after reading by title and the Ordinance was then adopted and ordered to print by the following vote:

ORDINANCES  
(Continued)

Ayes: Councilmen - Hughes, McCarty and  
Katzakian

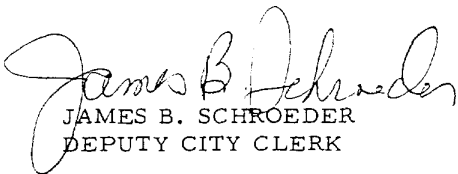
Noes: Councilmen - None

Absent: Councilmen - Katnich and Pinkerton

ADJOURNMENT

There being no further business to be brought  
before the City Council, Mayor Pro Tempore  
Katzakian adjourned the meeting at approximately  
11:27 p.m.

Attest:

  
JAMES B. SCHROEDER  
DEPUTY CITY CLERK